

Application No. 10/798,531Client Reference No. N0185US**REMARKS****I. Status**

Claims 1, 11, 14, 25, and 29 have been amended. No new matter has been added as a result. Accordingly, claims 1-32 are currently pending.

**II. Rejections Under 35 U.S.C. § 101**

Claims 14-32 were rejected as being directed to non-statutory subject matter. (Office Action, page 2). Independent claims 14 and 29 have been amended based on the Examiner's suggestion to further prosecution. Accordingly, Applicants respectfully request that the Examiner withdraw the respective rejections.

**III. Rejections Under 35 U.S.C. § 103**

Claims 1, 9-19, and 24-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohtsu, et al. (U.S. 2004/0176936) in view of Ashby, et al. (U.S. 6,047,280).<sup>1</sup> Claims 2-8 and 20-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohtsu, et al. in view of Ashby, et al. and further in view of Koller, et al. (Virtual GIS: A Real-Time 3D Geographic Information System).

**Claim 1 and Dependents**

Claim 1 recites, *inter alia*, "wherein individual road segment records are accessed from the map database during game play of the computer game to provide the displayed computer game play scenario." The combination of the references does not teach at least these features.

Ohtsu, et al. disclose a road traffic simulation apparatus. (Ohtsu, et al., Abstract). A nano traffic simulator expresses a plurality of mobile units and computes the behaviors of the plurality of the mobile units traveling in road traffic environments to simulate traffic situations. (Ohtsu, et al., paragraph [0042]). A road

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<sup>1</sup> U.S. Pat. No. 6,047,280 is assigned to the assignee of the present application. To the extent permissible by law, any remarks in this response about the '280 patent should not be construed as limiting or narrowing the scope of the claims thereof.

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database includes map data regarding the locations/shapes of the roads and/or the buildings and/or such traffic facilities as central road-dividing zones and/or traffic lights. (Ohtsu, et al., paragraph [0057]). The map data are information for creating the road traffic environment that is displayed with a display unit. (Ohtsu, et al., paragraph [0057]).

Ashby, et al. disclose a method and system that provides for a data access interface layer in a navigation system. (Ashby, et al., Abstract). Ashby, et al. disclose geographic data that may include information about positions of roads and intersections in or related to a specific geographic regional area, and the geographic data are organized in a format and stored in a manner that facilitates use and access by navigation application functions. (Ashby, et al., column 5, lines 17-26).

Even if one of ordinary skill in the art would have combined the references, there is no teaching of accessing individual road segment records from the map database *during game play* of the computer game to provide the displayed computer game play scenario. For example, if the database of Ashby, et al. is used as the road database of Ohtsu, et al., that does not mean individual road segments will be accessed during user play of the simulation of Ohtsu, et al. for display purposes. Ohtsu, et al. state that map data is used to create a road traffic environment. Accordingly, after that environment is created, there is no point of accessing individual road segments (if accessed at all in the first place) during user simulation operations. The created environment or portions thereof may be retrieved but not individual road segment data records from the map database. There is no teaching of accessing individual road segment records from the map database during game play of the computer game to provide the displayed computer game play scenario.

Accordingly, claim 1 is allowable for at least these reasons. Claims 2-13 and 28 depend, directly or indirectly, from allowable claim 1 and, therefore, are allowable for at least the same reasons.

#### Claims 14 and 29 and Dependents

Claims 14 and 29 recite, *inter alia*, features that are similar to features discussed above regarding claim 1. Accordingly, claims 14 and 29 are allowable for at least those same reasons. Claims 15-27 and claims 30-32 depend, directly or

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indirectly, from allowable claims 14 and 29, respectively, and, therefore, are allowable for at least the same reasons.

#### IV. Summary

It is respectfully asserted that all of the pending claims are patentable over the cited references, and allowance of the pending claims is earnestly solicited. If the Examiner believes that a telephone interview would be helpful in resolving any outstanding issues, the Examiner is respectfully invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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